

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

1-42. (Canceled)

43. (Currently Amended) A device for providing a text related to an image, comprising:

a microprocessor;

a library of stored images; and

a library of stored texts, wherein each of the stored texts is associated with at least one of the stored images;

wherein, upon receipt of a new image, the microprocessor compares the new image to the stored images and ~~associates with the new image the stored text associated with the one of the stored images that is most similar to the new image~~ selects for inclusion in a medical record the stored text associated with the stored image that is most similar to the new image.

44. (Previously Presented) The device of claim 43, wherein the new image, stored images and stored texts are digital.

45. (Previously Presented) The device of claim 44, wherein the microprocessor uses digital image recognition to identify the one of the stored images that is most similar to the new image.

46. (Previously Presented) The device of claim 43, wherein, when no stored image is similar to the new image, the microprocessor generates a signal to indicate that no match has been identified for the new image.

47. (Currently Amended) A device for producing a text for use in a record concerning a procedure, comprising:

a library of stored images drawn from past procedures;

a library of stored texts, each of the stored images being associated with at least a portion of one of the stored texts; and

a microprocessor;

wherein, upon receipt of a new image, the microprocessor compares the new image to the stored images;

and, based on the comparison, ~~associates one or more portions of one or more of the stored texts with the new image~~ selects for inclusion in a medical record the portion of one of the stored texts associated with the stored image that is most similar to the new image into a record concerning a procedure.

48. (Previously Presented) The device of claim 47, wherein the procedure is a surgical procedure and the past procedures are past surgical procedures.

49. (Previously Presented) The device of claim 47, wherein the new image is compared with the stored images using digital image recognition.

50. (Previously Presented) The device of claim 47, wherein the new image is a real-time image.

51. (Currently Amended) An apparatus for producing a record comprising:

means for storing a plurality of images and a plurality of texts, at least a portion of each stored text being associated with one of the stored images;

means for comparing a new image to the stored images using digital image recognition to identify one or more stored images that are most similar to the new image; and

means for creating a record by ~~associating with the new image with~~ including the stored text associated with the identified stored image in the record.

52. (Currently Amended) The apparatus of claim 51, wherein the stored text ~~associated with the new image~~ included in the record is descriptive of the new image.

53. (Original) The apparatus of claim 51, further comprising means for digitizing the images.

54. (Original) The apparatus of claim 51, further comprising means for communicating the images and texts.

55. (Original) The apparatus of claim 51, wherein the images depict aspects of medical procedures.

56. (Currently Amended) A method of providing a medical record comprising the steps of:
capturing a library video image of a medical procedure;
processing the library video image to provide a library digital image;
creating a text description associated with the library digital image;
capturing an outside video image of an outside medical procedure and processing the outside video image to provide an outside digital image; and
comparing the library digital image and the outside digital image, wherein the text description associated with the library digital image most similar to the outside digital image is selected ~~to become associated with the outside digital image to form~~ for inclusion in a medical record.

57. (Original) The method of claim 56, wherein a plurality of library video images and respective library digital image signals and text descriptions are captured, processed, and created.

58. (Original) The method of claim 57, wherein the library digital image signals and text descriptions comprise an electronically accessible database.

59-74. (Canceled)

75. (Currently Amended) A method of creating a record comprising the steps of:
forming groups of library images, each group depicting a portion of a procedure;
forming a group of library texts describing the procedure, wherein each of the library texts forming the group of library texts corresponds to one of the portions of a procedure;
providing an outside image of a procedure;
comparing the outside image to the groups of library images;

selecting an image or group of images from the library images that are most similar to the outside image;

selecting the library text corresponding to the portion of the procedure corresponding with the selected library image; and

~~storing the selected library text with the outside image to create a record~~ inscrting the selected library text into a document to create a record.

76. (Original) The method of claim 75, wherein the library images and the library texts are digital.

77. (Original) The method of claim 76, wherein the outside image is digital.

78. (Original) The method of claim 77, wherein the steps of selecting an image and selecting the library text are accomplished by a microprocessor.

79. (Currently Amended) The method of claim 75, wherein the most similar library image is selected using digital image recognition.

80. (Previously Presented) The method of claim 75, wherein the record created is a medical record.

81. (Currently Amended) ~~A method for providing a text related to an image, A computer-readable medium encoded with a computer program code for providing a medical record, the~~ program code causing a computer to perform the steps of:

creating a library of stored images;

creating a library of stored texts, wherein each of the stored texts is associated with at least one of the stored images;

receiving a new image;

comparing the new image to the stored images using digital image recognition to identify the one or more stored images that are most similar to the new image; and

when the most similar one or more stored images are identified, ~~associating with~~
selecting for inclusion in a medical record the stored text associated with the identified stored
image.

82. (Previously Presented) The method of claim 81, wherein the new image, stored images and
stored texts are digital.

83. (Previously Presented) The method of claim 81, further comprising the step of:
generating a signal to indicate that no match has been identified for the new image when none of
the stored images are similar to the new image.

84. (New) A device for creating a medical record comprising:

- a microprocessor;
- a library of stored images; and
- a library of stored texts, wherein each of the stored texts is associated with at least one of
the stored images;

wherein, upon receipt of a new image, the microprocessor compares the new image to the
stored images and inserts the stored text associated with the stored image that is most similar to
the new image into a document to form a medical record.